

STATE OF OHIO )

COUNTY OF CUYAHOGA )

) SS:

1:12 MJ 4076

**UNITED STATES POSTAL INSPECTION SERVICE**

I, MARTIN J. CERNELICH, DO HEREBY DEPOSE AND SAY:

I am a United States Postal Inspector and have been so employed for over 23 years, presently assigned at Cleveland, Ohio to investigate Prohibited Mailing offenses. I have received training in the detection and investigation of drug trafficking. I have worked Prohibited Mailing (Narcotics) investigations for approximately 17 years, during which time I was involved in narcotics investigations leading to prosecution in U. S. District Court as well as state courts.

On March 27, 2012, your affiant was contacted by Postal Inspectors at Tucson, AZ concerning a suspected drug parcel originating from Tucson, AZ 85745 for delivery to Boardman, OH 44512. Tucson Inspectors stated the parcel was large in size, weighing in excess of 29 lbs. Tucson Inspectors made inquiries concerning the return address which appeared to be fictitious. At your affiant's request, the parcel was forwarded under seal to the Cleveland, OH Field Office for further investigative attention.

On March 28, 2012, your affiant recovered the subject Priority Mail parcel which is further described as a U. S. Postal Service Priority Mail parcel bearing e/USPS Delivery Confirmation No. 420 44512 9405 5036 9930 0458 7940 31 addressed to Avon Mitchell, 30 Erskine Ave, Boardman OH 44512 with a return address of Cindy Wade, 3220 W. Champagne Dr., Tucson AZ 85745. The parcel is further described as a white U. S. Postal Service Ready Post mailing carton 20" X 14" X 10" in size and weighing approximately 29 lbs. The subject parcel bore a U. S. Postal Service delivery confirmation number. Based on your affiant's training and experience, your affiant knows delivery confirmation numbers are often placed on Priority Mail drug parcels so the mailers may track delivery of the parcels. The subject Priority Mail parcel was mailed on March 26, 2012, from the Tucson, AZ Post Office 85745 and bore \$50.92 in U.S. postage.

In furtherance of the investigation, your affiant made inquiries with Accurint, an electronic database that has proven reliable in previous investigations in determining the legitimacy of name and address information, and was unable to associate Cindy Wade with the listed return address. The return address contained on the subject Priority Mail parcel, 3220 W. Champagne Dr. was spelled incorrectly. The correct spelling for the street name is Champagne. Your affiant believes that if the return address was legitimate, the sender would clearly know how to spell the name of the street. Your affiant also made inquiries with Accurint concerning the delivery address and was unable to associate the name Avon Mitchell with the delivery address. Your affiant knows, based on his training and experience, that individuals using the U. S. Mails for the purpose of transporting controlled substances will often place fictitious address and/or name information on these parcels to conceal their true identities from law enforcement should the parcel be seized. Your affiant also knows that Arizona has historically been a major source area for controlled substances mailed into Northern Ohio.

On March 28, 2012, the subject parcel was subjected to "Sammy", a narcotic detection canine handled by Detective Michael Twombly of the Cuyahoga County Sheriff's Department. According to Detective Twombly, Sammy gave a positive alert on the subject parcel. According to Detective Twombly, this positive alert meant Sammy detected the odor of an illegal drug emanating from the parcel.

Detective Twombly has been State Certified as a Narcotics Canine handler and he and narcotics canine Sammy have worked together since 2007. Detective Twombly and canine Sammy were both recertified in March 2011 by the Ohio Peace Officers Training Academy (OPOTA). Detective Twombly and canine Sammy have both completed 200 hours of a state-certified training program at Excel K-9 Services, Inc., in Lyndhurst, Ohio under Certified Trainer Paul J. Shaughnessy of the NAPWDA, a nationally organized police work dog association that provides training for dogs and handlers. During this time, Sammy was trained and certified to alert to the presence of the odors from marijuana, cocaine, heroin, MDEA (methylenedioxyethylamphetamine), MDMA (methylenedioxymethamphetamine), methamphetamine ("crystal meth"), and/or their derivatives. Detective Twombly has been trained how to handle a detector K-9 and read his alerts.

Based on the information contained herein, your affiant maintains there is probable cause to believe that the U. S. Postal Service Priority Mail parcel bearing e/USPS Delivery Confirmation No. 420 44512 9405 5036 9930 0458 7940 31 addressed to Avon Mitchell, 30 Erskine Ave, Boardman OH 44512 with a return address of Cindy Wade, 3220 W. Champaigne Dr., Tucson AZ 85745 contains controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

  
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MARTIN J. CERNELICH  
POSTAL INSPECTOR

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 29<sup>th</sup> DAY OF MARCH, 2012, AT  
CLEVELAND, CUYAHOGA COUNTY, OHIO

  
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NANCY A. VECCHIARELLI  
U.S. MAGISTRATE JUDGE